

## **REMARKS**

Reconsideration of the application is respectfully requested.

### **I. Status of the Claims**

Claims 1-26 were previously canceled without prejudice or disclaimer.

Claims 27-54 are canceled in this Amendment without prejudice or disclaimer.

Claims 55-75 are added without the introduction of new matter.

Claims 55-75 are pending.

### **II. Rejections under 35 U.S.C. § 103**

Claims 27, 28, 30, 36-38, 40 and 46-54 were rejected under 35 U.S.C. § 103(a) as unpatentable over Fukasaka et al. (European Patent Application Publication EP 860 978 A2, herein "Fukasaka") in view of Kasahara (U.S. Patent No. 6,074,111). Claims 29, 32, 39 and 42 were rejected under 35 U.S.C. § 103(a) as unpatentable over Fukasaka in view of Kasahara, and further in view of Norris (U.S. Patent No. 5,864,411). Also, claims 31 and 41 were rejected under 35 U.S.C. § 103(a) as unpatentable over Fukasaka in view of Kasahara, and further in view of Driscoll, Jr. et al. (U.S. Patent No. 6,542,184, herein "Driscoll"). Further, claims 33-35 and 43-45 were rejected under 35 U.S.C. § 103(a) as unpatentable over Fukasaka in view of Kasahara, and further in view of Mamiya (U.S. Patent No. 6,690,415).

The above rejections of claims 27-54 are moot because the claims are canceled in this Amendment.

Independent claims 55, 61 and 67 are each directed to the image input system having an image input device and a computer. Independent claims 73-75 are each directed to a method of

controlling an image input system having an image input device and a computer. Claims 55, 61, 67 and 73-75 each include features that a software program corresponding to an operation mode of the image input device is selected from a plurality of software programs in the computer on the basis of information indicating the operation mode set in the image input device when the image input device is connected to the computer and a communication between the image input device and the computer is established.

Claims 55 and 73 each further include features that the selected software is started when the communication is established and the operation of the software program is held when the image input device and the computer are disconnected.

Claims 61 and 74 each further include features that the selected software is started when the communication is established and the operation of the software program is terminated when the image input device and the computer are disconnected.

Claims 67 and 75 each further include features that the selected software is started when the communication is established and it is set for every software program whether or not the operation of the software program is terminated or held when the image input device and the computer are disconnected.

In contrast, the cited references of Fukasaka, Kasahara, Norris, Driscoll and Mamiya, either taken individually or in combination, do not disclose or suggest all of the features recited in each of claims 55, 61, 67 and 73-75. Specifically, Fukasaka does not disclose or suggest how an operation of a software program is handled when an image input device and a computer are disconnected. Further, Mamiya does not disclose or suggest how an operation of a software program, which has been started, is handled when an image input device and a computer are disconnected.

With respect to teachings of Mamiya, the Examiner stated in the outstanding Office Action at page 35, lines 4-6, that “[t]he Examiner interprets the freeze process (Step S308) as corresponding to ‘disconnected in a state that image input device (110) and computer (120) are connected with each other.’”

However, in a freeze operation (Step S308) in Mamiya, an operation of a display (123) is changed from a preview operation to a still image display operation when a release button is pressed. In other words, in Mamiya, the freeze operation merely means that moving image displayed on the display is changed to still image. Thus, the freeze operation (Step S308) does not make the image input device and the computer disconnect. If the image input device and the computer are disconnected by the freeze operation, a copy operation of image data (Step S311) cannot be achieved.

Further, the Examiner stated in the outstanding Office Action at page 36, lines 8-10, and at page 37, lines 13-15, that “[t]he Examiner interprets the release flag not being set (No result in Step S302) as corresponding to ‘disconnected in a state that image input device (110) and computer (120) are connected with each other.’”

In this regard, Fig. 3A in Mamiya shows an interrupt operation. However, it merely indicates that the interrupt operation is terminated when the release flag is not set. A status that the release flag is not set has no relation to a status that the image input device (110) and the computer (120) are disconnected.

Thus, Mamiya does not even disclose or suggest the operation that the image input device and the computer are disconnected, as recited in each of claims 55, 61, 67 and 73-75.

Therefore, independent claims 55, 61, 67 and 73-75, and claims dependent therefrom, are patentably distinguishable over the cited references, either taken individually or in combination.

**CONCLUSION**

In view of the above amendments, Applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.


The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this Amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4568.

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Respectfully submitted,

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